

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Misc. Writ Petition No. 49410 of 1999

[New No. 4511 (M/S) of 2001]

(Under Article 226 of the Constitution of India)

District Dehradun

1. Sri Banwari Lal son of late Sri Dalip Chand, resident of 207/89-II, 107 New Number, Karanpur, Dehradun.
2. Preetam Chand son of Late Dalip Chand, resident of 18/1 Old Survey Road, Dehradun.
3. K.L. Kumar, son of Late Sri Dalip Chand, resident of 103 Arya Nagar, Dehradun. petitioners

Versus

Sri Ram Lal son of Sri Bal Chand, resident of 207/89-II, 107 New Number Karapur (Ist Floor) Dehradun.....Respondents.

Mr. Rajendra Dobhal, Advocate counsel for the petitioners.

Mr. J.P. Joshi, Advocate, counsel for the respondent.

Hon'ble Rajesh Tandon, J.

Dated 17.06.2006

Heard Sri Rajendra Dobhal, Advocate counsel for the petitioners, and Sri J.P. Joshi Counsel for the respondent.

By the present writ petition, the petitioners have prayed for a writ of certiorari quashing the impugned orders passed by the Courts below, by which the release application has been refused.

Sri J.P. Joshi, counsel for the respondent has submitted that the respondent no. 3 died on 24.3.2006. Sri Rajendra Dobhal seeks liberty to file a fresh application under Section 21(1)(a) of U.P. Act No. 13 of 1972 on the ground of his personal requirement, by impleading all the heirs of the respondent no. 3.

In case fresh application under section 21(1) (a) of U.P. Act. No. 13 of 1972 is filed, the same shall be disposed of expeditiously within a period of six months from filing of certified copy of the order.

Subject to aforesaid, writ petition is disposed of. No order as to costs.

Dated 17.6.2006

(Rajesh Tandon, J.)